



KANSAS

KANSAS SENTENCING COMMISSION

Honorable Ernest L. Johnson, Chairman
District Attorney Paul Morrison, Vice Chairman
Patricia Ann Biggs, Executive Director

KATHLEEN SEBELIUS, GOVERNOR

MEMORANDUM

TO: Kansas Community Corrections Agencies
SB 123 Interested Treatment Providers
Other Interested Parties

FROM: Patricia Biggs, Executive Director

DATE: April 26, 2006

RE: Publication of 2003 – SB 123 “Alternative Sentencing Policy for
Drug Possession Offenders” Operations Manual, version 2.0

The newly completed 2003-SB 123 Operations Manual is enclosed with this communication. In the coming days, this document will also be posted to the Kansas Sentencing Commission’s web site (www.kansas.gov/ksc).

During this document’s construction, several questions have been submitted frequently enough to warrant a “universal” response. These questions and answers follow:

Question Does SB 123 still require administration of the ASI?

Answer Yes.

SB 123 requires administration of the ASI at three separate and distinct time periods for each offender sentenced under its provisions. In particular, these three administrations are to occur (1) within the first 30 days of treatment commencement (2) at the conclusion of SB 123 treatment (typically at the conclusion of Relapse Prevention/Continuing Care) and (3) six months after conclusion of the treatment package.

The multiple administration of the ASI provides a solid intermediate outcome measure which can be used to draw conclusions regarding the impact of treatment (captured as the difference between the first and second administration of the ASI) and to draw conclusions regarding the ability of the treatment to “stick” with the client offender (captured as the difference between the second and third administration of the ASI).

As I believe strongly that our ability to measure the impact of the services delivered strongly influences the sustainability, the credibility, and the suitability of this program, the multiple administration of the ASI will continue to be required.

- Question** We had been documenting a referral for a SB 123 Assessment with the Client Placement Agreement but we notice that the new Client Placement Agreement form does not have a place for Assessment. Why is this and how do we document a referral for an Assessment?
- Answer** The Client Placement Agreement should be used for placement of the client into a treatment modality (beyond the assessment). The new Client Placement Agreement reflects this.
- To make a referral for an assessment, the SB 123 Assessment Summary Form should be used. The referring Community Corrections agency should complete the information through, and including, the Offender Profile. The Assessing treatment agency, then, completes the remainder of the form reflecting the results of the Assessment. Please remember that the Assessor Recommendations are to comply with ASAM criteria and that the Assessment outcome is to be staffed with the Community Corrections officer.
- (In the attached manual, the SB 123 Assessment Summary Form is found on page 97 and the Client Placement Agreement is on page 93. Additionally, the forms may be accessed via the Sentencing Commission's web page www.kansas.gov/ksc).
- Question** As an agency who delivers treatment services, we sometimes have difficulty in identifying the "correct" Community Corrections agency to send the invoice to for their signatures. This is creating difficulties with regard to us getting paid as sometimes the invoice gets too old as it bounces from one Community Corrections Agency to another. What Community Corrections Agency is supposed to sign the invoice?
- Answer** The Community Corrections Agency who is actually seeing that offender is the one that signs the invoice. This is also the Agency that participating in the Team Meetings.
- It is the Community Corrections Agency supervising the offender who would know, and thus be able to authenticate, that the offender has received treatment services. This authentication is reflected by the ISO and Director signatures on the Invoice for payment of treatment services.
- Question** As an agency who delivers treatment services, we sometimes have difficulty in getting the Community Corrections Agency to sign the invoice and submit it to the Sentencing Commission in a timely fashion. Despite the fact that we completed our part of the Invoice within the required time, we get a "Denied" stamp on the invoice after it goes to the Sentencing Commission with an indication that it was too old to pay.
- How can we stop this from happening?
- Answer** Like all aspects of this program, team work is a fundamental requirement. The first line of solution should be open and fluid communication within each agency (e.g., within the treatment agency it may be necessary to open a line of communication between the billing department and the treatment practitioner) as well as between the treatment agency and the supervising community corrections agency.
- Each has time-bound responsibilities as described below:

(see pages 42 – 43 in the attached Manual)

Treatment Provider Responsibilities:

Treatment providers are required to submit invoices to community corrections agencies in a timely manner. Invoices are to be submitted to Community Corrections agencies **within ten (10) working days** of the end of the previous month.

Community Corrections Agency Responsibilities:

Once the invoices have been received, the agency has **five (5) working days** to review the invoice for accuracy and completeness, obtain the signatures and authorization for payment from the director, and then forward the invoices to the Kansas Sentencing Commission for payment processing. Prior to forwarding the invoice to the sentencing commission, the community corrections agency is responsible for verifying that the appropriate interventions have been entered in TOADS. The sentencing commission will not process invoice payments without corresponding intervention information in TOADS. It is the community corrections agency responsibility to ensure completion and readability of ALL fields and information on the invoice.

Invoices received from treatment providers submitted for treatment later than 45 days from the end of the month for which treatment is being billed shall be denied by the ISO and director, clearly identified on the invoice as denied, and sent to the Sentencing Commission as a denied claim.

Again, the first line of Denial for payment of an invoice rests with the Community Corrections agency. Community Corrections must communicate this message clearly and in a timely fashion to the Treatment provider.

The Denied claim must be submitted to the Sentencing Commission, with a clear notation indicating that it has been denied by Community Corrections. Tracking these denied claims allows the Sentencing Commission to collect the information necessary to drive program budget and cash flow forecasting.

We hope that this Manual provides you with the necessary information and rationale for the decisions that apply. Feedback regarding the Manual, or any of the SB 123 processes, is always welcomed. The program is working well to date because of your dedication and your focus on continuous improvements. Thank you.

As a reminder, the next Update Conference is scheduled for May 18, 2006 from 10:00 to noon at the Sedgwick County Extension Center, 7001 W. 21st St. North in Wichita. All interested parties are welcome as are all questions and comments.